

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FIKE *et al.*

Appl. No. 09/606,314

Filed: June 29, 2000

For: **Dry Powder Cells and Cell  
Culture Reagents and Methods of  
Production Thereof**

Confirmation No.: 1340

Art Unit: 1654

Examiner: Flood, M.

Atty. Docket: 0942.4290005/SRL/FRC

**Reply to Election of Species Requirement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated **June 2, 2005**, requesting an election of a single species of eukaryotic cell types of claims 110-121, Applicants elect the following species: **Animal cell** (as recited in claim 111).

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. This election is made **without** traverse. However, Applicants respectfully remind the Examiner that, upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of the allowed generic claim.

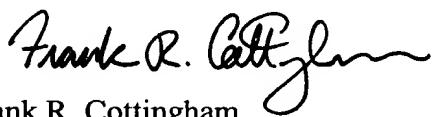
It is not believed that extensions of time are required beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time

are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Consideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: NOV. 22, 2005

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